

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED: JUNE 27, 2008
08CV3701
JUDGE SHADUR
MAGISTRATE JUDGE BROWN
No. CV ____
(*jury demand*)

EARL SANDERS,)
Plaintiff,)
-vs-)
CITY OF CHICAGO, P.O. A. LAGUNAS,)
and P.O. B.O. CHINCILLA,)
Defendants.)

COMPLAINT

Plaintiff, by counsel, alleges as follows:

1. This is a civil action arising under 42 U.S.C. §1983. The jurisdiction of this Court is conferred by 28 U.S.C. §1343 and 28 U.S.C. §1367.
2. Plaintiff Earl Sanders is a resident of the Northern District of Illinois.
3. Defendants A. Lagunas, #9916 and B.O. Chincilla #9445 were, at all times relevant acting under color of their authority as police officers of the City of Chicago; each is sued in his individual capacity.
4. Defendant City of Chicago is an Illinois municipal corporation joined in this action pursuant to 28 U.S.C. §1367 as the potential indemnifier of defendants Lagunas and Chincilla.
5. In January of 2008, plaintiff was lawfully standing in the in the vicinity of 945 North St. Louis Avenue in the City of Chicago when he was arrested by defendants Lagunas and Chincilla.

6. Defendants Lagunas and Chincilla did not have a lawful basis to arrest plaintiff.
7. The above described actions of defendants Lagunas and Chincilla caused plaintiff to be subjected to a false arrest, contrary to rights secured by the Fourth Amendment.
8. As a result of defendants' wrongful acts, plaintiff was deprived of his liberty and subjected to severe emotional distress.
9. Plaintiff demands trial by jury.

WHEREFORE plaintiff prays that judgment be entered against defendants in an amount in excess of fifty thousand dollars as compensatory damages.

/s/ Kenneth N. Flaxman

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